

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

|  |  |
|--|--|
| <p><u>IN RE:</u><br/>Melissa L. Peck, Damon A. Peck,<br/><br/>U.S. Bank Trust National Association,<br/>Movant<br/><br/>vs.<br/><br/>Melissa L. Peck, Damon A. Peck,<br/>Debtors</p> | <p>Case No. 25-00885-HWV<br/><br/>Chapter 13</p> |
|--|--|

**OBJECTION TO CONFIRMATION  
OF DEBTORS' CHAPTER 13 PLAN**

U.S. Bank Trust National Association, not in its individual capacity but solely as trustee for Homes Mortgage Trust ("Movant"), by and through its undersigned counsel, files this *Objection to Confirmation of Debtor's Chapter 13 Plan* (Doc 21), and states as follows:

1. The Debtors' filed a voluntary petition pursuant to Chapter 13 of the Bankruptcy Code on March 28, 2025.
2. Movant holds a security interest in real property located at 1660 Crestlyn Rd, York, PA 17403 (the "Property"), by virtue of a Mortgage executed by Beam & Vibe Design, Melissa Peck, Managing Member.
3. In addition, Melissa Peck executed a personal guaranty in the event the loan was not repaid.
4. The Debtors' filed a Chapter 13 Plan (the "Plan") on April 15, 2025 (Doc 21).
5. Movant filed its proof of claim (number 21) asserting an unsecured claim in the amount of \$158,769.74.

6. Debtors' Plan does not treat Movant's loan in the plan. In fact, the majority of the Plan is blank.

7. Furthermore, the Plan calls for the debtor to obtain a HELOC loan within a year to fund the Plan. Same is remote and speculative.

8. Additionally, the Plan as written calls for minimal \$150 per month payments for a year, followed by a large lump sum and then resuming \$150 payments for an additional 47 months. This is not equal monthly installment payments as required by 11 U.S.C. 1325(a)(5)(B)(iii)(I).

9. Therefore, Confirmation of the Plan should be denied until Debtors amend the Plan to properly treat Movant.

**WHEREFORE**, Movant respectfully requests the entry of an Order which denies confirmation of the Plan unless such plan is amended to overcome the objections of Movant as stated herein, and for such other and further relief as the Court may deem just and proper.

/s/Brian Nicholas  
\_\_\_\_\_  
Brian Nicholas  
Pennsylvania BAR NO.  
Attorney for Creditor  
McCalla Raymer Leibert Pierce, LLP  
325 Chestnut Street, Suite 725  
Philadelphia, PA 19106  
732-685-6835

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

|  |  |
|--|--|
| <p><u>IN RE:</u><br/>Melissa L. Peck, Damon A. Peck,<br/><br/>U.S. Bank Trust National Association,<br/>Movant<br/><br/>vs.<br/><br/>Melissa L. Peck, Damon A. Peck,<br/>Debtors</p> | <p>Case No. 25-00885-HWV<br/><br/>Chapter 13</p> |
|--|--|

**CERTIFICATE OF SERVICE**

I, the undersigned, hereby certify that a true and exact copy of the foregoing OBJECTION TO CONFIRMATION OF DEBTORS' CHAPTER 13 PLAN has been electronically served or mailed, postage prepaid on this day to the following:

Via Electronic Notice:

Debtors' Attorney  
Elizabeth Haley Rohrbaugh  
CGA Law Firm  
135 N. George Street  
York, PA 17401  
hrohrbaugh@cgalaw.com

Trustee  
Jack N Zaharopoulos  
Standing Chapter 13  
8125 Adams Drive, Suite A  
Hummelstown, PA 17036  
Bankruptcy Trustee

United States Trustee  
US Courthouse  
1501 N. 6<sup>th</sup> Street  
Harrisburg, PA 17102

Via First Class Mail:

Melissa L. Peck  
4406 Steltz Rd  
New Freedom, PA 17349

Damon A. Peck  
4406 Steltz Rd  
New Freedom, PA 17349

/s/Brian

Nicholas

Brian Nicholas  
Pennsylvania BAR NO.  
Attorney for Creditor  
McCalla Raymer Leibert Pierce, LLP  
325 Chestnut Street, Suite 725  
Philadelphia, PA 19106  
732-685-6835

